

Notice of Allowability

Application No.

09/138,429

Examiner

Julian Mercado

Applicant(s)

APPLIED MATERIALS, INC.

Art Unit

1745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3-16-07.
2. ☒ The allowed claim(s) is/are 21-50 and 54-62.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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DETAILED ACTION

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles Guenzer on June 8, 2007.

The application has been amended as follows:

1. In claim 61 at line 1, "The method of claim 41" has been changed to --The apparatus of claim 41--.

Remarks

This Office action is responsive to applicant's amendment filed on March 16, 2007.

Claims 21-50 and 54-62 are pending.

Claim Rejections - 35 USC § 103

The rejection of claims 21, 22, 24, 31-36, 39-50 and 54-57 under 35 U.S.C. 103(a) based on Nakagawa et al. (U.S. Pat. 4,865,709) and Miyata (U.S. Pat. 5,519,373) has been withdrawn.

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The rejection of claims 23, 25-30, 37 and 38 under 35 U.S.C. 103(a) based on Nakagawa et al. (U.S. Pat. 4,865,709), Miyata (U.S. Pat. 5,519,373) and Boys et al. (U.S. Pat. 4,500,409) has been withdrawn.

In withdrawing the above cited ground of rejection(s), applicant's arguments filed with the present amendment have been fully considered and are deemed persuasive. The examiner concedes with applicant's assertion that Nakagawa et al. employs a plurality of substrates having adjacent permanent magnets, while Miyata uses a single substrate surrounded by an annular magnet array. As Miyata's single annular magnet array is centered on a single substrate, the magnet array around the plurality of substrates (arranged linearly) of Nakagawa et al. (see Figure 2) would conceivably result in a non-uniform magnetic field across the outermost substrates. Alternatively, the examiner concedes with applicant's assertion that a plurality of annular magnet arrays arranged around each of the plurality of substrates in Nakagawa et al. would conceivably result in the superimposed magnetic fields to be non-uniform. It is clear that a non-uniform magnetic field is contrary to the objectives of both Nakagawa et al. and Miyata, thus, the combined teachings of the references as previously applied towards the present claims has been withdrawn.

Allowable Subject Matter

Claims 21-50 and 54-62 are allowed.

The following is an examiner's statement of reasons for allowance: the prior art of record does not teach or suggest the claimed invention regarding a flatter and more parallel magnetic field adjacent the substrate surface than that adjacent a target surface, the magnetic field being

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generated by a magnet array concentrically disposed around a perimeter of the surface of the substrate.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian Mercado whose telephone number is (571) 272-1289. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick J. Ryan, can be reached on (571) 272-1292. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

A handwritten signature in black ink, appearing to be 'P. Ryan', with a large loop at the bottom.

PATRICK JOSEPH RYAN
SUPERVISORY PATENT EXAMINER